IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH AT HYDERABAD

HON'BLE Mr. JUSTICE R. SUBHASH REDDY

Writ Petition No.17036 of 2006

Dated: August 25, 2006

Between:

K. Dharmaiah Naidu, S/o. Ramaiah Naidu, aged about 44 years, Draughtsman Gr.II, O/o. D.E (E) II, TTD Administrative Building, Tirupati, Chittoor District.

… Petitioner

And

Tirumala Tirupati Devasthanam, rep. by its Executive Officer, Tirupati, Chittoor District, and others.

… Respondents

Order:

Petitioner, by this Writ Petition, seeks Mandamus to declare the proposed action of the first respondent in considering to promote respondents 3 to 6 as Assistant Engineers (Electrical) as illegal and arbitrary.

2. Heard learned counsel for the petitioner and Mr. A.K. Jayaprakash Rao, learned Standing Counsel appearing for the TTD.

3. Petitioner, who joined as Helper in the respondent-Devasthanam was subsequently promoted as Draughtsman. His grievance is that the first respondent is taking steps to promote respondents 3 to 6, who have not even completed five years of service, to the post of Assistant Engineer (Electrical), contrary to the Service Rules.

4. On the other hand, learned Standing Counsel submits that only tentative seniority list has been prepared in the cadre of Draughtsman Grade-II and by proceedings dated 26-06-2006, objections were called for on or before 31-08-2006 to finalize the seniority list. It is his case that this Writ Petition is premature and the apprehension of the petitioner is without any basis. He further submits that no promotion will be effected till the seniority list is finalized in the cadre of Draughtsman Grade-II.

5. The petitioner has approached this Court in a posthaste manner even before any orders have been passed promoting respondents 3 to 6. Petitioner cannot approach this Court on a mere apprehension without there being any valid basis. Moreover, a reading of the circular dated 26-06-2006 would make it clear that objections were called for against the tentative seniority on or before 31-08-2006 and it was also indicated that promotions would be effected only on the basis of seniority. Hence, I do not find any valid ground to entertain this Writ Petition at this stage.

6. The Writ Petition is devoid of merits and is accordingly dismissed. There shall be no order as to costs.

JUSTICE R. SUBHASH REDDY.

August 25, 2006
MRR